

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

JONATHAN GAFFERS, individually, and on
behalf of others similarly situated,

Plaintiffs,

Case No. 16-10128

vs.

Hon. David M. Lawson

KELLY SERVICES, INC.,
a Michigan corporation

Defendant.

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DECLARATION OF RICHARD ANDERSON

I, Richard Anderson, based on my personal knowledge and pursuant to 28 U.S.C. § 1746,
declare as follows:, declare:

1. I am an IT Technologist for Kelly Services, Inc. ("Kelly"), and a former IT
Service Manager for Kelly. I have been employed by Kelly since June 2010. As part of my
responsibilities, I oversee IT for the KellyConnect Program. As part of my responsibilities, I
know what programs KellyConnect employees have access to and need to use to perform their
jobs. I also know about the data Kelly retains regarding their IT use.

2. I submit this declaration in support of Kelly's Response In Opposition To Plaintiff's Pre-Discovery Motion For Conditional Class Certification And Court-Supervised Notice Pursuant To 29 U.S.C. § 216(b).

3. Mr. Gaffers' Declaration, lists "various computer programs, software programs, applications and servers" that Mr. Gaffers claims he is "required to start-up and log-in to" "[p]rior to each shift." (See ECF No. 7-4 ¶ 7.) These programs are:

- a. **PeopleNet:** PeopleNet is an internal Kelly website used to access Kelly Web Time. Employees use Kelly Web Time to enter their work hours for payroll.
- b. **iLog:** iLog is a proprietary support desk ticketing system of Kelly's customer.
- c. **Messages:** Messages is a chat function.
- d. **iDesk:** iDesk is a proprietary web-based application of one of Kelly's customers, used to access the customer's tools.
- e. **MonsterBoard:** MonsterBoard is software used to monitor system traffic information, indicate how many advisors are logged in, etc. MonsterBoard is not used by employees in Mr. Gaffers role. Mr. Gaffers did not have access to MonsterBoard, and could not have opened, logged into or connected to MonsterBoard.
- f. **GBI Portal:** GBI Portal is a management tool used, in part, to track log-in time. It is not a tool used by employees at Mr. Gaffers level for anything other than reviewing his or her own information. Mr. Gaffers had access to GBI Portal, but his access was "read only," and limited to his own information.
- g. **Office365:** Office 365 is a web-based Microsoft Office suite.
- h. **Notes:** Notes is a notepad function.

- i. **TirageBoard [sic]:** TriageBoard is an internal Kelly website used to share Kelly policies, HR-related information, etc. It is not required for Mr. Gaffers's job.
 - j. **Pipkins:** Pipkins is a cloud-based workforce management tool. It is not a tool used by employees at Mr. Gaffers level for anything other than reviewing his or her own information. Mr. Gaffers had access to Pipkins, but his access was "read only," and limited to his own information.
 - k. **Gather:** "H2H Gather" is a web-based forum for sharing information. Gather is not required for Mr. Gaffers's job. In a January 6, 2016 chat with another Kelly employee, Mr. Gaffers wrote: "hey can you send me the link to the H2H gather site, I can't seem to find it. I wanna look at the three A's again, it's been soo long. HaHa!" The recipient responded "That site is for North Star Evaluators only :(If you would like, I can send you some info or screenshots."
 - l. **Bomgar:** Bomgar is an application used to remotely access another computer. The Bomgar application is not installed on Mr. Gaffers's computer.
 - m. **AppleConnect:** AppleConnect is an authenticating method used to access the network and systems of one of Kelly's customers.
4. For employees who access the programs that are required to perform Mr. Gaffers job, it typically takes far less than five minutes to power up their computer and log in to any necessary programs. To the extent employees experience log-in times of more than five minutes, they are specifically instructed to call the Kelly Help Desk.
 5. Employees are not required to shut down their computer each day.
 6. The only step Mr. Gaffers and other KellyConnect employees were required to take at the end of each shift was to log out of Kelly's VPN.

7. KellyConnect employees are not required to call the Kelly Help Desk for all technical issues. KellyConnect employees are only required to call the Kelly Help Desk for technical issues which prevent them from logging in to the Kelly VPN, iDesk or iLog.

8. When employees contact the Kelly Help Desk, a "help ticket" is generated.

9. According to a review of Kelly's records, 19 help tickets were generated for Nhadia Montreuil.

10. According to a review of Kelly's records, 51 help tickets were generated for Plaintiff Gaffers.

11. According to a review of Kelly's records, 80 help tickets were generated for Robert Sabot.

12. According to a review of Kelly's records, 5 help tickets were generated for April Lambert.

13. According to a review of Kelly's records, 121 help tickets were generated for Heather Costello.

14. IT Service Agents did not contact the Kelly Help Desk.

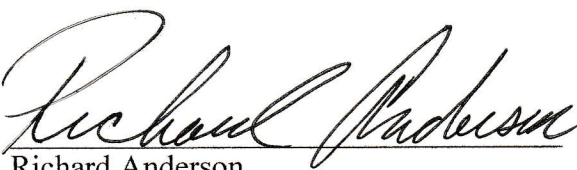
15. No help tickets were generated for Brandon Papin.

16. No help tickets were generated for Ryan Burzycki

17. In a November 23, 2015 chat with another Kelly employee, Mr. Gaffers wrote: "I refuse to call HD unless I'm paid for the time i'm calling them." Mr. Gaffers then wrote: "so when stuff breaks, it breaks. i fix it on my own, and i put the note in my time card."

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED: April 22, 2016

By: 
Richard Anderson